

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Derek Scott Stiggers,	:	
Plaintiff	:	Case No. 2:05-cv-911
v.	:	Judge Marbley
Corrections Officer Mr. Stroud, <i>et al.</i> ,	:	Magistrate Judge Abel
Defendants	:	

**ORDER**

Plaintiff Derek Scott Stiggers brings this action under 28 U.S.C. § 1983 alleging that defendant Stroud assaulted him at the Southern Ohio Correctional Facility (“SOCF”) as he was getting on a bus to be transported to another prison. Defendant Harold Carter was the warden at SOCF from September 27, 1999 until December 31, 2001. Defendant Reginald Wilkinson is the director of Ohio Department of Rehabilitation and Correction (“ODRC”).

This matter is before the Court on the Magistrate Judge’s March 6, 2006 Report and Recommendation recommending that defendants Stroud, Carter and Wilkinson’s December 1, 2005 unopposed motion for summary judgment (doc. 9) be granted. On January 6, 2006, the Magistrate Judge issued an Order instructing plaintiff Derek Scott Stiggers to respond to defendants’ motion for summary judgment, but Mr. Stiggers failed to file a response.

Upon *de novo* review in accordance with the provisions of 28 U.S.C. §636(b)(1)(B), the Court **ADOPTS** the Report and Recommendation and **GRANTS** defendants Stroud, Carter and

Wilkinson's December 1, 2005 unopposed motion for summary judgment (doc. 9). The Clerk of Court is **DIRECTED** to enter **JUDGMENT** for defendants. This action is hereby **DISMISSED**.

s/Algenon L. Marbley  
Algenon L. Marbley  
United States District Judge